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Chapter No. 97
10/SS02/A291SG
IN 156/BLV

SENATE BILL NO. 3130

Originated in Senate *Nem W. Guynes* Secretary

SENATE BILL NO. 3130

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE STATE BOARD FOR COMMUNITY AND JUNIOR COLLEGES FOR FISCAL YEAR 2011.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the State Board for Community and Junior Colleges for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 7,015,783.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board for Community and Junior Colleges, for the purpose of defraying the administrative expenses of the State Board for Community and Junior Colleges for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 76,901,867.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying the expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the State Board for Community and Junior Colleges for the fiscal year beginning July 1, 2010, and ending June 30, 2011 \$ 160,000.00.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	Full Time	41
	Part Time	0
Time-Limited:	Full Time	1
	Part Time	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the budget requests of the administrative expenses of the State Board for Community and Junior Colleges for Fiscal Year 2012 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2011 budget request process.

SECTION 6. Of the funds appropriated herein, One Million Dollars (\$1,000,000.00) shall be expended from the Work Force Carryover Fund as created by House Bill No. 1271, 1995 Regular Session.

SECTION 7. Of the funds appropriated in Sections 1 and 2, funds in the amount of Forty-three Million Six Hundred Ninety-five Thousand Nine Hundred Ninety-two Dollars (\$43,695,992.00) are appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2011 and future fiscal years shall be based only upon funds available in this section and any proposed commitments shall be approved by the Executive

Director of the State Board for Community and Junior Colleges, or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2010, or after, and shall not be expended for obligations made prior to this date.

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of Thirty Million Dollars (\$30,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and shall be utilized exclusively by the State Board for Community and Junior Colleges for workforce training in accordance with Senate Bill 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars (\$2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2012 Workforce Education Program.

SECTION 9. Of the funds appropriated in Section 2, funds in the amount of Two Million One Hundred Fifty-three Thousand Dollars (\$2,153,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Three Million Nine Hundred Thirty-five Thousand Four Hundred Dollars (\$3,935,400.00) shall be transferred from the Community and Junior College Education Technology fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the State Board for Community and Junior Colleges.

SECTION 10. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Hundred Thousand Dollars (\$100,000.00) shall be derived from fees charged for issuing

duplicate transcripts and duplicate diplomas for the General Education Development (GED) Testing Program for the purpose of defraying the costs of administering the GED Testing Program of the State Board for Community and Junior Colleges, in accordance with Senate Bill No. 2626, 2002 Regular Session.

SECTION 11. It is the intention of the Legislature that the State Board for Community and Junior Colleges is hereby authorized to accept, budget and expend funds from any source in an amount not to exceed One Million Dollars (\$1,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 12. Of the funds appropriated in Section 2, funds in the amount of Thirty Million Dollars (\$30,000,000.00) shall be derived from the transfer of post-secondary vocational and technical funds from the Mississippi Department of Education to the State Board for Community and Junior Colleges for the purpose of managing the day-to-day operations of post-secondary vocational and technical education.

SECTION 13. Of the funds appropriated in Section 1, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars (\$542,459.00) is provided to the State Board for Community and Junior Colleges for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 14. Of the funds provided in Sections 1 and 2, One Million One Hundred Seven Thousand Dollars (\$1,107,000.00) shall be used for pilot projects to implement dual enrollment opportunities in practical nursing programs for secondary students.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price,

quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. It is legislative intent to ensure beneficial information reaches as many Mississippians as possible. Further, it is legislative intent that the expenditure of public funds for this purpose be accomplished in an efficient and effective manner.

Therefore, state agencies as standard procedure, will observe the following criteria:

- (a) Develop goals and desired result for a campaign.
- (b) Evaluate effectiveness through respected advertising standards, including market reach and cost-effectiveness.
- (c) Seek public service announcements, which would be aired by media without cost.
- (d) Itemize and justify professional assistance and related expenses for creative and production costs outside of the actual media expenditures.
- (e) Utilize Mississippi-owned media companies when feasible.

SECTION 17. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 18. Of the funds appropriated under the provisions of Section 1, Eighty-eight Thousand Dollars (\$88,000.00) is provided to the State Board for Community and Junior Colleges for the purpose of defraying the operating cost of the Jones County Junior College Truck Driving Program.

SECTION 19. It is the intention of the Legislature that the agency shall compile cell phone usage records of any cellular phone (wireless communication device) that is assigned, issued or

made available to any officer or employee in accordance with Section 25-53-191, Mississippi Code of 1972, and these records shall be made publicly available at the expense of the agency.

SECTION 20. It is the intention of the Legislature that this agency shall have the authority to receive, budget and expend funds from any source that may become available to them as a result of the passage of the American Recovery and Reinvestment Act of 2009 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

The Executive Director of the Department of Finance and Administration shall have the authority to approve escalations of funds and employee positions using funds from any source available due to the passage of the American Recovery and Reinvestment Act of 2009.

The Executive Director of the Department of Finance and Administration shall immediately send notice of the approval of such budget escalation to the House of Representatives Appropriations Committee, the Senate Appropriations Committee and the Legislative Budget Office. Within fifteen (15) days of such approval, the Executive Director of the Department of Finance and Administration shall ensure that the Legislative Budget Office receives detailed and accurate information about the amount and use of federal and special source funds by state agencies as a result of the passage of the American Recovery and Reinvestment Act of 2009.

SECTION 21. Of the funds appropriated in Section 1, Two Hundred Thirty Thousand Dollars (\$230,000.00) is provided for geospatial site licenses.

SECTION 22. Of the funds provided within this act, no former employee who is receiving State of Mississippi retirement benefits shall be hired under contract for an amount exceeding Twenty Thousand Dollars (\$20,000.00) a year without prior approval by an

agency's proper governing board or authority. Upon approval of such contracts a written report shall be submitted detailing the cost and need of contract services to the Chairmen and members of the Senate and House Appropriation Committees.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2010.

PASSED BY THE SENATE
April 21, 2010



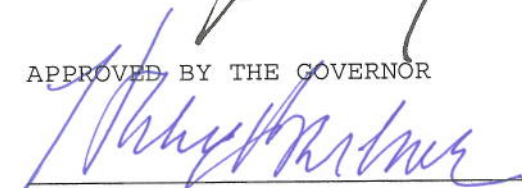
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
April 21, 2010



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

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